

Abstract of Doctoral Dissertation

Title : A Study of Development of Legal Systems and Society in the Middle of Ming Dynasty

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This dissertation focuses on the "middle Ming" period, and discusses the social changes of that period based on the process of legal development in the middle Ming.

In Chapter I, I will present a method of looking at the process of law development by organizing the "the *Ming Cord* (大明律 Da Mingli)", "the Sub-Statutes for inquisition (問刑條例 Wenxing Tiaoli)", and other code historical documents.

Chapter II discusses various textual problems found in "*Compilation of Topically Arranged Legal Code of the Imperial Ming Dynasty* (皇明條法事類纂 Huangming Tiaofa Shileizuan)" and reconstructs the process leading up to the formation of it.

In Chapter III, I will show that the tendency toward severe punishment in the "the Sub-Statutes for inquisition" article was found to be an imbalance between law and mercy in the course of the trial, and that appropriate punishment was proposed in the form of a view of judge (參語 Canyu). On the other hand, it will be revealed that inappropriate a view of judge (參語 Canyu) were applied to judicial officers in several cases due to their lack of knowledge and common understanding of the Code of Discipline.

Chapter IV focuses on the word "Instigation of Foreign Aggression (謀叛 Moupan)" found in Wanli "the Sub-Statutes for inquisition" and clarifies that the changes from Jiajing to Wanli do not necessarily reflect changes in society but are formed based on the experience of law operation since the mid-Ming period.

Chapter V discusses how, on the one hand, those who were called People lacking of Civil registration (無籍之徒 Wuji Zhi Tu) stood between parties engaged in administrative practices and commercial activities and committed crimes, and on the other hand, they established corresponding cases through a series of example cases.

In Chapter VI, as a specific example of the process of establishing the "the Sub-Statutes for

inquisition" article, I will examine the case concerning trade associated with tribute to the Ming Dynasty and clarify the changes in the opportunities/persons who encountered the envoys of Tribute for the Ming Court.

In Chapter VII, the process of the establishment of the " the Sub-Statutes for inquisition " article is examined using a case study of the maritime smuggling trade as a specific example, and the changes in the nature of the smuggling trade and the Ming dynasty's attitude toward the coastal regions are clarified.

In addition, two supplementary essays examine the trends of crimes and Ming dynasty's measures to deal with them as seen in the case studies.

Based on the above, similarities can be seen between the mid-Ming and the late Ming, indicating that the system and order in "the early Ming" collapsed earlier than previously imagined.